

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
Region 31**

Western Tag & Printing

Employer

and

John W. Chatter, an Individual

Case 31-RD-1488

Petitioner

and

Communications Workers of America,  
Local 14904<sup>1/</sup>

Union

**ORDER WITHDRAWING NOTICE OF REPRESENTATION  
HEARING AND DISMISSING PETITION**

Pursuant to a petition filed on October 31, 2003<sup>2/</sup>, a Notice of Representation Hearing issued on that same day. The Union as described on the petition was Communication Workers of America, Local 911 and the Union was served accordingly. An administrative investigation disclosed that the parties to the collective bargaining agreement were the above-named Employer and Communications Workers of America, Local 14904. Local 911 as described in the petition does not exist. The investigation further disclosed that the term of the aforementioned collective bargaining agreement expires on December 31, and in order for the petition to be timely filed it would have to be filed between October 3 and November 1. To date, the petition has not been amended to reflect the correct Union, which was misnamed in a

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<sup>1/</sup> The Petition names Communication Workers of America, Local 911 as the recognized or certified bargaining agent. There is no such local union at any address. The actual bargaining agent is Communications Workers of America, Local 14904. Thus, the caption for this Order reflects the name of the actual bargaining agent.

<sup>2/</sup> All dates are 2003.

material manner. Any amendment beyond November 1 would be untimely since the Board uses the date of the amended petition as the date of filing. See *Allied Beverage Distributing Co.*, 143 NLRB 149 (1963). Accordingly,

IT IS HEREBY ORDERED that the Notice of Representation Hearing previously issued in this matter be, and hereby is, withdrawn.

IT IS FURTHER ORDERED that the petition in this matter be, and hereby is dismissed due to being untimely filed.<sup>3/</sup>

Signed in Los Angeles, California this 20th day of November 2003.

/s/ James J. McDermott

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James J. McDermott, Regional Director  
National Labor Relations Board  
Region 31

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<sup>3/</sup> Pursuant to Section 102.71 of the National Labor Relations Board's Rules and Regulations, Series 8, as amended, any party may obtain a review of this action by filing a request for review with the Board in Washington, D.C. 20570. A copy of such request must be served upon each of the other parties to this proceeding, as well as on the undersigned. The request for review must contain a complete statement setting forth the facts and reasons on which it is based. The request for review (eight copies) must be received by the Executive Secretary of the Board by close of business **Friday, December 5, 2003**. Upon good cause, however, the Board may grant special permission for a longer period within which to file. A request for extension of time should be submitted to the executive Secretary in Washington, D.C., and a copy should be served on all other parties to this proceeding and the undersigned. The request for review and any request for extension of time must include a statement that a copy has been served on all parties and the undersigned in the same manner or a faster manner as that utilized in filing the request with the Board.